



General Assembly

Amendment

February Session, 2006

LCO No. 4836

SB0059204836SD0

Offered by:

SEN. MCDONALD, 27th Dist.

SEN. HARP, 10th Dist.

To: Subst. Senate Bill No. 592

File No. 609

Cal. No. 333

**"AN ACT LIMITING LAW ENFORCEMENT ACCESS TO
RECORDED INFORMATION IN "BLACK BOX" EVENT DATA
RECORDERS IN MOTOR VEHICLES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2006*) (a) As used in this
4 section, "event data recorder" means a device installed in a passenger
5 motor vehicle, as defined in section 14-1 of the 2006 supplement to the
6 general statutes, that (1) records (A) the speed at which the motor
7 vehicle is traveling, (B) the direction in which the motor vehicle is
8 traveling, (C) steering performance data, (D) brake performance data,
9 including, but not limited to, whether the brakes were applied before
10 an accident, or (E) the usage of the driver's seat belt, or (2) is capable of
11 transmitting data concerning an accident in which the motor vehicle is
12 involved to a central communications system.

13 (b) (1) Except as provided in subsection (c) of this section, no person,

14 except the registered owner of the motor vehicle that contains the
15 event data recorder, or the person's representative, may retrieve,
16 obtain or use data stored on or transmitted from the event data
17 recorder unless:

18 (A) The individual who is the registered owner or lessee of the
19 motor vehicle at the time the data is recorded, or the person's
20 representative, consents in writing;

21 (B) The data is retrieved or obtained by a peace officer, as defined in
22 section 53a-3 of the general statutes, (i) pursuant to a search warrant
23 issued by a judge of the Superior Court or a judge trial referee under
24 the provisions of section 54-33a of the general statutes, or by any court
25 of competent jurisdiction, or (ii) after the motor vehicle is involved in a
26 collision that results in a fatality;

27 (C) The data is used for the purpose of improving motor vehicle
28 safety, security or traffic management, including the purpose of
29 medical research on physical reaction to motor vehicle accidents,
30 provided the identity of the registered owner, driver or other occupant
31 of the motor vehicle is not disclosed with respect to the data, except
32 that the disclosure of a vehicle identification number with the last four
33 numbers deleted for such purposes shall not constitute disclosure of
34 the identity of the registered owner; or

35 (D) The data is retrieved or obtained by a licensed new car dealer, as
36 defined in section 14-51 of the general statutes, a repairer, as defined in
37 section 14-51 of the general statutes, or the manufacturer, as defined in
38 section 14-1 of the 2006 supplement to the general statutes, that
39 manufactured the motor vehicle, for the purpose of diagnosing,
40 servicing or repairing the motor vehicle.

41 (2) Any person who retrieves or otherwise obtains such data, except
42 a peace officer who retrieves or otherwise obtains such data pursuant
43 to subparagraph (B) of subdivision (1) of this subsection, shall not
44 further disclose such data, except that such person may further
45 disclose such data as provided in subparagraph (C) or (D) of

46 subdivision (1) of this subsection if the identity of the owner, driver or
47 other occupant is not disclosed.

48 (c) Data may be obtained from an event data recorder by a
49 subscription service provider pursuant to a subscription agreement if
50 the subscription agreement discloses that the data may be stored and
51 transmitted, provided such data may not be further disclosed except as
52 provided in subsection (b) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	New section